

Senate Bill 143

By: Senators Brown of the 26th, Rogers of the 21st, Staton of the 18th, Seay of the 34th,
Golden of the 8th and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

To amend Chapter 14 of Title 50 of the Official Code of Georgia Annotated, relating to open and public meetings, so as to change certain provisions relating to meetings to be open to the public, limitation on action to contest agency action, recording, notice of time and place, access to minutes, and telecommunications conferences; to change certain provisions relating to excluded proceedings; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 14 of Title 50 of the Official Code of Georgia Annotated, relating to open and public meetings, is amended by revising subsection (b) of Code Section 50-14-1, relating to meetings to be open to the public, limitation on action to contest agency action, recording, notice of time and place, access to minutes, and telecommunications conferences, as follows:

"(b) Except as otherwise provided by law, all meetings as defined in subsection (a) of this Code section shall be open to the public. Any resolution, rule, regulation, ordinance, or other official action of an agency adopted, taken, or made at a meeting which is not open to the public as required by this chapter shall not be binding. Any action contesting a resolution, rule, regulation, ordinance, or other formal action of an agency based on an alleged violation of this provision must be commenced within 90 days of the date such contested action was taken, ~~provided~~; provided, however, that for purposes of any action contesting an alleged violation of this provision with respect to final official approval or disapproval of the acquisition of real estate, the period within which such an action may be brought shall not commence until minutes of the meeting at which the alleged violation occurred have been made public; and provided, further, that any action under this chapter contesting a zoning decision of a local governing authority shall be commenced within the time allowed by law for appeal of such zoning decision."

SECTION 2.

Said chapter is further amended by revising paragraph (4) of Code Section 50-14-3, relating to excluded proceedings, as follows:

"(4) Meetings when any agency is discussing the future acquisition of real estate, except that such meetings shall be subject to the requirements of this chapter for the giving of the notice of such a meeting to the public and preparing the minutes of such a meeting; provided, however, that the disclosure of such portions of the minutes as would identify real estate to be acquired may be delayed until such time as the acquisition of the real estate has been completed, terminated, or abandoned or court proceedings with respect thereto initiated; parties have entered into a binding agreement as to the material terms of the real estate acquisition. The exclusion provided by this paragraph shall not apply to the taking of final official action to approve or disapprove such acquisition;"

SECTION 3.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.